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July 22, 2009

The Honorable James M. Rosenbaum
United States District Court
14E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Re: 281 Care Committee, et al. v. Ross Arneson, et al.
Federal Civil File No. 08-5215 JMR/FLN

Dear Judge Rosenbaum:

This is to advise the Court that Judge Kyle's decision in *Zanders v. Swanson*, No. 07-2171, 2008 WL 4117210 (D. Minn. Aug. 29, 2008), which was cited in the Defendants' memoranda with respect to the issue of standing, has been affirmed by the Eighth Circuit Court of Appeals in a recent published opinion, *Zanders v. Swanson*, No. 08-3221, 2009 WL 2136791 (8th Cir. July 20, 2009).

Respectfully,

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s/ John S. Garry

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